

# **EXHIBIT 1**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, SOUTHERN DISTRICT**

SHERRY TERESA, individually and on behalf  
of all other similarly situated ,

Plaintiff,

vs.

MAYO FOUNDATION FOR MEDICAL  
EDUCATION AND RESEARCH,

Defendant.

Civil Action No. 4:24-cv-00033-AMA-PK

Judge Ann Marie McIff Allen

Magistrate Judge Paul Kohler

**DECLARATION OF DAVID WILSON**

I, David Wilson state and declare as follows:

1. I provide this declaration for inclusion in Defendant Mayo Foundation for Medical Education and Research's ("Mayo") Motion to Dismiss Plaintiff's Complaint.

2. I am the former Technology Director and an authorized representative of Strategic Fulfillment Group ("SFG"). I am now acting as an independent contractor for SFG helping them with data storage.

3. I make this declaration based on my personal knowledge and my review of records maintained by SFG in the course of its regularly conducted business activities.

4. SFG maintains, in its regularly conducted business activities, information about the purchasers and subscribers of print and digital subscriptions to *Mayo Clinic Health Letter* and other Mayo publications ("Mayo Purchasers"). I am familiar with the form, location, and organization of SFG's Mayo records and I have accessed said records in the course of my job duties.

5. Recently, I ran a query with the following parameters across SFG's Mayo records to include the time period March 12, 2023 through and including March 12, 2024. The query was calculated to and is believed to have found all records of the individuals with Utah addresses that made a purchase of a Mayo product or subscription, including records where an individual with a

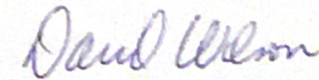


Utah address received a Mayo product or subscription within those dates, even if that individual did not themselves make the purchase (e.g. they were gifted a subscription).

6. The query described in Paragraph 5 yielded 3,272 unique Utah-based individuals that purchased or were gifted Mayo subscriptions between March 12, 2023 through and including March 12, 2024, and 901 unique Utah-based individuals that purchased or were gifted another Mayo publication between March 12, 2023 through and including March 12, 2024.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 14, 2024



David Wilson